

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-20 remain active in this case, Claims 9 and 12 having been amended by the present amendment.

In the outstanding Office Action, Claims 9-14 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1-20 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 1-20 were further rejected under 35 U.S.C. § 102(b) as anticipated by Otter (Reference U of record).

In response to the rejection based on 35 U.S.C. § 112, second paragraph, Claims 9 and 12 have been amended as suggested by the Examiner in paragraph 1 at page 2 of the outstanding Office Action. Accordingly, the outstanding rejection of Claims 9-14 under 35 U.S.C. § 112, second paragraph, is believed to have been overcome.

In response to the rejection under 35 U.S.C. § 101, Applicants refer to the first paragraph of the BRIEF SUMMARY OF THE INVENTION which states “the present invention is directed to a simulation method in a program product in which a mechanism system can easily and accurately be modeled using a hybrid model.” Thus, it is respectfully submitted that the claims are directed to subject matter by which a hybrid model can easily and accurately be modeled, the modeled hybrid model clearly being a “useful, concrete and tangible result.” Accordingly, it is respectfully submitted that the outstanding rejection under 35 U.S.C. § 101 is traversed. Reconsideration and withdrawal of this ground for rejection is respectfully requested.

Applicants further respectfully traverse the outstanding rejection under 35 U.S.C. § 102 because in Applicants’ view this rejection is based on the misunderstanding of the correspondence between the “description” produced in the “parsing” step.

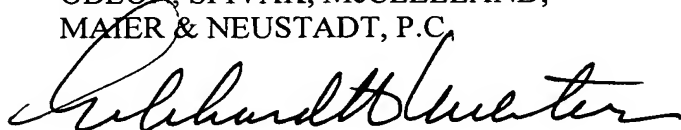
The description of Applicants' invention indicates a hybrid model description as shown in FIG. 5 (104 in FIG. 1). The outstanding Office Action seems to interpret the description as corresponding to an "equation description" and the programs generated from the equation description are the codes shown on page 152 of Otter. Applicants respectfully disagree with such an interpretation.

In particular, according to Otter, the codes shown on page 152 are "an overall description of the system" and "a modelica model." The "modelica model" is a "hybrid model" having a "continuous plant" and a "digital controller." In other words, Otter simply shows a correspondence between the "equation description" and "hybrid model description" and not a relationship between the "hybrid model description" and "1st – 3rd programs." In summary, Otter makes no mention of a processing system for executing a simulation by converting a hybrid model into a structure that allows the execution of the simulation, as in the claimed invention. In view of this deficiency in Otter, it is respectfully submitted that Otter does not anticipate or render obvious the claimed invention, and it is respectfully submitted that the outstanding rejection based on 35 U.S.C. § 102 has been overcome.

Consequently, in view of the present amendment, and in light of the above discussion, no further issues are believed to be outstanding, and the present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 03/06)